CITY OF LONG BEACH **CITY COUNCIL AGENDA**

Bonnie Lowenthal, Vice Mayor, 1st District Suja Lowenthal, 2nd District Gary DeLong, 3rd District Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District Laura Richardson, 6th District Tonia Reyes Uranga, 7th District

TUESDAY, SEPTEMBER 12, 2006

COUNCIL CHAMBER, 5:00 PM

Rae Gabelich, 8th District Val Lerch, 9th District

Gerald R. Miller, City Manager Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. 06-0886

Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt the resolution approving the Long Beach Tourism Business Improvement Area Program and assessment for the period of October 1, 2006 through September 30, 2007, and authorize City Manager to execute an agreement with the Long Beach Area Convention and Visitors Bureau for a one-year term.

(Districts 1,2,4,5)

see media

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

2. 06-0887

Recommendation to receive supporting documentation into the record, approve the annual report, conclude the hearing, authorize City Manager to execute an agreement with the Belmont Shore Business Association for a one-year term, and declare Ordinance approving the Belmont Shore Parking and Business Improvement Area program continuing the assessment for the period of October 1, 2006 through September 30, 2007 with an increased assessment rate, read the first time and laid over to the next regular meeting of the City Council for final reading.

(District 3)

see media

Office or Department: COMMUNITY DEVELOPMENT

3. 06-0888

Recommendation to receive supporting documentation into the record, approve the annual report, conclude the hearing, authorize City Manager to execute an agreement with the Bixby Knolls Business Improvement Association for a one-year term, and declare Ordinance approving the Bixby Knolls Parking and Business Improvement Area program continuing the assessment for the period of October 1, 2006 through September 30, 2007 with a decreased assessment rate, read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 7.8)

see media

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4 - 18)

4. 06-0903

Recommendation to adopt resolution proclaiming a Public Safety Personnel Day of Remembrance.

see media

Office or Department: MAYOR BOB FOSTER

5. <u>06-0911</u>

Recommendation to receive and file report on attendance at the League of California Cities 2006 Annual Conference and Exposition in San Diego, CA.

Office or Department: VICE MAYOR BONNIE LOWENTHAL,

COUNCILMEMBER, FIRST DISTRICT

Suggested Action: Approve recommendation.

6. 06-0885

Recommendation to authorize City Attorney to submit Compromises and Releases for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$65,000 for claim of Linda Beardslee; \$24,820 for claim of Charles Groveunder; \$20,000 for claim of Anthony Moreno; \$10,000 for claim of Tina Wilson; and (1) \$43,500 for Compromise and Release and (2) \$8,000 for buy-out of supplemental job displacement benefits for claim of Benjamin Baltazar, in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

7. 06-0894

Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay (1) \$36,260 for permanent disability rating, and (2) \$5,000 to resolve vocational rehabilitation benefits for claim of Randy Butler; two Stipulations with Requests for Awards in the amount of (1) \$65,622.50 and (2) \$30,940 for claim of David Edwards; (1) \$58,800 and (2) \$5,000 to resolve vocational rehabilitation benefits for claim of Robbie Hill-Morrison; \$7,816.25 for claim of Michael Olson; and \$13,310 for claim of Alberto Vargas, in compliance with Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

8. <u>06-0912</u>

Recommendation to authorize City Manager to execute an agreement with Legal Counsel Gibbs, Giden, Locher & Turner, LLP, in the matter entitled City of Long Beach vs. Abbey Co., Case No. NC037087.

Office or Department: CITY ATTORNEY

9. <u>06-0913</u>

Recommendation to authorize City Manager to execute the Eighth Amendment to Contract No. 28728 with Legal Counsel M. Brian McMahon in the matter entitled Long Beach Oil Development Company vs. City of Long Beach, et al., Case No. CV 03-6655.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

10.06-0876

Recommendation to refer to City Attorney damage claims received between August 31, 2006 and September 7, 2006.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

11. 06-0877

Recommendation to authorize City Manager to execute contracts with various service providers for the Workforce Investment Act Youth Development Program, for the period of October 1, 2006 through June 30, 2008. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

12. 06-0878

Recommendation to authorize City Manager to execute all documents necessary for a lease between Golden Shore Partners, a California general partnership, (Landlord) and the City of Long Beach (Tenant) for office space at 11 Golden Shore, Suites 110 and 120, for the relocation of the Long Beach Police Department Information Technology Division for a five-year term at the initial monthly base rent of \$12,534. (District 2)

Office or Department: COMMUNITY DEVELOPMENT; POLICE

Suggested Action: Approve recommendation.

13. 06-0879

Recommendation to authorize City Manager to execute an amendment to Contract No. 29514 with 3M Traffic Safety Systems to increase the not to exceed amount to \$500,000 for the purchase of additional vehicle speed feedback signs. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

14. 06-0880

Recommendation to authorize City Manager to execute an agreement with The Earl B. and Loraine H. Miller Foundation to fund Family and Children's Health Education Forums, Outreach and Leadership programs at the Miller Family Health Education Center in the amount of \$88,000, for the period from July 1, 2006 to June 30, 2007, and increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$88,000. (Citywide)

see media

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

15. 06-0881

Recommendation to authorize City Manager to execute First Amendment to Agreement No. 03-76024 with the State of California Department of Health Services to continue a Local Lead Hazard Reduction and Compliance Program for a period of 12 months. (Citywide)

see media

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

16. 06-0882

Recommendation to authorize City Manager to execute an agreement with the City of Signal Hill for the provision of animal control services by the City of Long Beach for the period of July 1, 2006 to June 30, 2008, at \$44,300 for each twelve (12) month period, with an option to extend the agreement for up to two consecutive two-year terms with price escalation tied to the Consumer Price Index.

see media

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

17. 06-0883

Recommendation to receive and file the application of Kim Yong Sung, dba Sam's Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 404 W. Anaheim Street, with existing conditions. (District 1)

Office or Department: POLICE

18. 06-0884

Recommendation to adopt Resolution of Intention to vacate the east-west alley north of Anaheim Street and west of Elm Avenue, accept an easement deed for the widening of the north-south alley and the sidewalk adjacent to 325 E. Anaheim Street, and set date of hearing for Tuesday, October 10, 2006, at 5:00 P.M. (District 2)

see media

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

19. 06-0843

Recommendation to request City Attorney to prepare an amendment to Section 10.14.020 of the Long Beach Municipal Code, modifying Section "A", Subsection 15 to read:

"15. (Westbound) West Fifty-First Street, between a point three hundred feet (300') west of Long Beach Boulevard and Pacific Avenue." (District 8)

see media

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

20. 06-0905

Recommendation to adopt resolution authorizing the issuance of Tax and Revenue Anticipation Notes in an amount not to exceed \$60 Million; and authorize City Manager to execute all necessary documents. (Citywide)

see media

Office or Department: FINANCIAL MANAGEMENT

21. <u>06-0891</u> Recommendation to authorize City Manager to execute an agreement,

and any subsequent amendments, in the amount of \$1,852,026 for a period of three years, with the County of Los Angeles to provide alcohol

and drug abuse rehabilitation services. (Citywide)

see media

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

22. 06-0892 Recommendation to authorize City Attorney to prepare an ordinance to

establish a public safety impact fee and a resolution to set the fee amount for City Council adoption based on the recommendations in the

attached report.

see media

Office or Department: PLANNING AND BUILDING

Suggested Action: Approve recommendation.

BUDGET HEARING: 7:00 P.M. TO 8:30 P.M.

23. <u>06-0893</u> Recommendation to receive supporting documentation into the record,

conclude the public hearing, and take the actions necessary to adopt the

Fiscal Year 2007 budget.

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

23. 06-0853 Recommendation to adopt resolution approving the FY 07 budget of the

Long Beach Water Department as adopted by the Board of Water

Commissioners on July 13, 2006.

Suggested Action: Approve recommendation.

23. <u>06-0854</u> Recommendation to declare ordinance approving the resolution

establishing the rates and charges for water and sewer service to all customers, as adopted by the Board of Water Commissioners on August 17, 2006, read the first time and laid over to the next regular

meeting of the City Council for final reading.

see media

23. <u>06-0855</u> 3	Recommendation to adopt resolution approving the FY 07 budget for the Long Beach Harbor Department as adopted by the Board of Harbor Commissioners on July 24, 2006.	
	Suggested Action:	Approve recommendation.
23. <u>06-0856</u> 4	Recommendation to adopt the resolution to establish a partial schedule of fees and charges for specified City services for the Departments of Community Development, Financial Management, Fire, Health and Human Services, Parks, Recreation and Marine, Planning and Building, Police, and Public Works.	
	Suggested Action:	Approve recommendation.
23. <u>06-0906</u> 5	Recommendation to adopt resolution amending and restating the schedule of civil penalties and administrative fees for the enforcement of various parking violations to increase parking citation fees.	
	Suggested Action:	Approve recommendation.
23. <u>06-0857</u> 6	Recommendation to approve the FY 07 One-Year Capital Improvement Program.	
	Suggested Action:	Approve recommendation.
23. <u>06-0858</u> 7	Recommendation to adopt motion approving the budgets for the Redevelopment Agency's Project Area Committees in the amounts of \$45,695 for Central Long Beach, \$70,000 for West Long Beach Industrial, and \$42,000 for North Long Beach.	
	Suggested Action:	Approve recommendation.
23. <u>06-0859</u> 8	Recommendation to adopt motion approving the budget for the Long Beach Housing Development Company in the amount of \$40,009,306, which is included in the budget of the Department of Community Development.	
	Suggested Action:	Approve recommendation.

23. <u>06-0860</u> 9	Recommendation to adopt motion approving the transfer of \$14,222,184 from the Harbor Revenue Fund to the Tidelands Operating Fund.	
	Suggested Action:	Approve recommendation.
23. <u>06-0861</u> 10	Recommendation to adopt resolution adopting an appropriations limit (Gann) for FY 07 pursuant to Article XIII(B) of the California Constitution	
	Suggested Action:	Approve recommendation.
23. <u>06-0862</u> 11	Recommendation to adopt the Mayor's proposed funding recommendations, as amended, to the FY 07 proposed budget	
	Suggested Action:	Approve recommendation.
23. <u>06-0863</u> 12 <u>see media</u>	Recommendation to adopt the Budget Oversight Committee's propos funding recommendations, as amended, to the FY 07 proposed budg	
	Suggested Action:	Approve recommendation.
23. <u>06-0864</u> 13	Recommendation to endorse the updated Financial Strategic Plan.	
	Suggested Action:	Approve recommendation.
23. <u>06-0865</u> Recommendatio 14		dopt motion amending the proposed budget.
	Suggested Action:	Approve recommendation.
23. <u>06-0866</u> 15 <u>see media</u>	Recommendation to declare an emergency to exist.	
	Suggested Action:	Approve recommendation.

23. <u>06-0867</u> 16 Recommendation to declare the Appropriations Ordinance for FY 07, creating and establishing the funds of the Municipal Government and appropriating money to and authorizing expenditures from said funds and for said fiscal year as an Emergency Ordinance, read and adopted as read and laid over to the next regular meeting of the City Council for final reading.

see media

ORDINANCES:

24. <u>06-0916</u>

Recommendation to declare ordinance relating to the elimination of certain references to user fees and charges from the Long Beach Municipal Code, read the first time and laid over to the next regular meeting of the City Council for final reading, **only** upon adoption of the resolution establishing a partial schedule of fees and charges for specified City services for the Departments of Community Development, Financial Management, Fire, Health and Human Services, Parks, Recreation and Marine, Planning and Building, Police, and Public Works. (Citywide)

see media

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

25. 06-0825

Recommendation to declare ordinance amending the Downtown Planned Development District (PD-30) to change the subarea and height limit maps for the property at 210 W. 3rd Street, read and adopted as read. (District 1)

see media

Office or Department: PLANNING COMMISSION; PLANNING AND BUILDING

Suggested Action: Approve recommendation.

26. 06-0827

Recommendation to declare ordinance, approving a Rezoning from Three-Family Residential District (R-3-S) to Community R-4-N Commercial District (CCN) for a portion of the subject property to allow the construction of a 32-unit condominium complex at 4200 E. Anaheim Street, read and adopted as read (Case No. 0505-19). (District 4)

see media

Office or Department: PLANNING COMMISSION; PLANNING AND

BUILDING

27. <u>06-0847</u>

Recommendation to declare ordinance removing obsolete references in the telephone users tax, read and adopted as read. (Citywide)

see media

Office or Department: CITY ATTORNEY

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

28. 06-0922

Recommendation to approve Certificates of Recognition presented to recipients of The National Conference of Community and Justice (NCCJ) of Southern California 43rd Annual Dinner Awards: Jorian Fletcher and Mary D. Le Fever for the Anthony B. Rogers Volunteer of the Year Award; Rosa Cortez, Stella Davis, Lysa Gamboa Levy and Alice Robinson for the Gene Lentzner Human Relations Award; Michael Asfall, Rita Cameron, Michelle Friesen, Anita Gibbins, Lydia Hollie, Pat Hicks, Susan Price, Karl Strandberg, Joe Thompson, Susan Welsh and Aneisa Young for the Human Dignity Program Community Assistance Team; and Laura Farinella, Commander for the Long Beach Police Department, East Division.

see media

Office or Department: LEGISLATIVE

Suggested Action: Approve recommendation

29. Affidavits of Service for the special meetings of Tuesday, September 12, 2006.

30.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Election systems vendor demonstrations at 12:00 P.M.

Elections Oversight Committee at 2:00 P.M.

September 19, 2006 – Election systems vendor demonstrations at 11:30 A.M.

September 19, 2006 – Elections Oversight Committee at 1:00 P.M.

HEARING REMINDERS:

September 19, 2006 -- Hearing for Considerations of Amendments to the Zoning Code (Case Nos. 0601-07, 0601-10, 0601-10, 0601-13, 0601-14). (Citywide)

October 3, 2006 -- Hearing for the approval of Amendments to the General Plan from LUD #1 and #8A to LUD #7, Mixed Uses; and Amendments to the Atlantic Avenue Planned Development District (PD-25); Zone Changes from Single-Family Residential (R-1-N) and Community Automobile-Oriented (CCA) to the Atlantic Avenue Planned Development District (PD-25). (District 6)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at http://www.longbeach.gov/enotify/default.asp.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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